

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Kenneth Edgar Fox,)	C/A No. 3:10-2199-CMC-PJG
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
Rafael A. Douglas; and Officer Edgemon,)	
)	
Defendants.)	
)	

The plaintiff has filed this action, *pro se*, seeking relief alleging a violation of his constitutional rights by the named defendants. Defendant Douglas filed a motion to dismiss on July 7, 2011 and Defendant Edgemon filed a motion to dismiss on July 13, 2011 pursuant to the Federal Rules of Civil Procedure. (ECF Nos. 73 & 77.) As the plaintiff is proceeding *pro se*, the court entered orders pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975) on July 8, 2011 and July 13, 2011, advising the plaintiff of the importance of a motion to dismiss and of the need for him to file an adequate response. (ECF Nos. 75 & 78.) The plaintiff was specifically advised that if he failed to respond adequately, the defendants' motions may be granted, thereby ending his case.

Notwithstanding the specific warning and instructions set forth in the court's Roseboro order, the plaintiff has failed to respond to the motions. As such, it appears to the court that he does not oppose the motions and wishes to abandon this action.

Based on the foregoing, it is

ORDERED that the plaintiff shall advise the court as to whether he wishes to continue with this case and to file a response to the defendants' motions to dismiss within fourteen (14) days from

the date of this order. Plaintiff is further advised that if he fails to respond, **this action will be recommended for dismissal with prejudice for failure to prosecute.** See Davis v. Williams, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.



Paige J. Gossett

UNITED STATES MAGISTRATE JUDGE

August 23, 2011
Columbia, South Carolina